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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Merrit N. Jacobs Docket No. CDS0255  
Ronald F. Brookes  
Zhong Ding  
Serial No. : 09/993,054 Art Unit: 3729  
Filed : 11/06/2001 Examiner: Brian Gordon  
For : ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 28, 2005  
(Date of Deposit)

Todd J. Burns  
(Name of applicant, assignee, or Registered Representative)

/Todd J. Burns/

(Signature)

June 28, 2005

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 28, 2004 finally rejecting Claims 18-22 of the above-identified application.

The item(s) checked below are appropriate:

- 1.  An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
- 2.  A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
- 3.  A timely response to the final rejection has been filed.
- 4.  Fee \$500.00: for filing of Notice of Appeal  
 Not required (fee paid in prior appeal)  
 Charge to Deposit Account No. 10-0750/CDS0255/TJB. Two additional copies of this Notice are enclosed herewith.  
 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/CDS0255/TJB.

Respectfully submitted,

/Todd J. Burns/

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Date: June 28, 2005